

### REMARKS

Claims 3, 15, 17, 19, 25, 28, 32, and 34-60 are pending in this application, with claims 3, 36, 37 and 38 being independent. Claims 1, 2, 4-14, 16, 18, 20-24, 26, 27, 29-31 and 33 have been canceled, claim 3 has been amended, and claims 34-60 have been added. Support for the amendments to claim 3 can be found in the specification, for example, at page 28, lines 6-13, and in FIG. 12. Support for the new claims can be found in the specification, for example, in FIG. 12, and the related description. No new matter has been presented.

### *Election/Restrictions*

The Examiner alleges that claims 1, 2, 4-14, 16, 18, 20-24, 26, 27, 29-31 and 33 are directed to a species having characteristics that are mutually exclusive from the originally presented species recited in claims 3, 15, 17, 19, 25, 28 and 32. The Examiner indicates that, since an action on the merits for the originally presented species has already been received, claims 1, 2, 4-14, 16, 18, 20-24, 26, 27, 29-31 and 33 have been withdrawn from consideration as being directed to a non-elected invention. In view of this, claims 1, 2, 4-14, 16, 18, 20-24, 26, 27, 29-31 and 33 have been canceled.

### *Claim Rejections - 35 USC § 103*

Claims 3, 15, 19, 25, 28 and 32 have been rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Koyama (U.S. Patent Pub. No. 2001/0002703) in view of Abe (U.S. Patent No. 7,209,101). Applicant respectfully requests reconsideration and withdrawal of this rejection because neither Koyama, Abe, nor any proper combination of the two describes or suggests that "a source of the first transistor is connected to the first power line and a gate electrode of the first transistor is connected to a second power line so that a voltage between the gate electrode and the source of the first transistor is constantly fixed," as recited in independent claim 3.

Koyama relates to an electroluminescent display that includes a pixel portion 101 in which pixels 104 are arranged in matrix form (Koyama: FIG. 1, paragraph [0106]). The pixel

portion 101 includes power source control lines C1 to Cn, all of which are connected to an external switch 117 (Koyama: FIG. 2, paragraph [0115]). Within a pixel 104, a gate electrode of a power source controlling transistor 112 is connected to a power source control line 113, and either the source or the drain of the transistor 112 is connected to an electroluminescent (EL) element 111 (Koyama: FIG. 3, paragraphs [0113]-[0117]). The power source control line 113 is one of the power source control lines C1 to Cn (Koyama: paragraph [0117]).

Although the Office Action points to FIG. 3 of Koyama to allege that a gate electrode of the first transistor 112 is connected to a second power line 113, Koyama does not teach or suggest that **“a source of the first transistor is connected to the first power line** and a gate electrode of the first transistor is connected to a second power line so that a voltage between the gate electrode and the source of the first transistor is constantly fixed,” as recited in independent claim 3 (emphasis added). Instead, one of the source or the drain terminals of the transistor 112 is connected to an electroluminescent (EL) element 111, and the other drain or source terminal of the transistor 112 is connected to a source or drain terminal of another transistor 109 (Koyama: FIG. 3, paragraphs [0015]-[0017]). Hence, Koyama fails to describe or suggest at least these features of claim 3.

Abe, which is cited as allegedly showing “a fourth transistor for forcing the light-emitting element into a non-emission state irrelevant from the video signal, wherein the light-emitting element, the first transistor, and the second transistor are connected in series between a first power line and a counter electrode of the light-emitting element,” also fails to describe or suggest that **“a source of the first transistor is connected to the first power line** and a gate electrode of the first transistor is connected to a second power line so that a voltage between the gate electrode and the source of the first transistor is constantly fixed,” as recited in independent claim 3 (emphasis added).

For at least these reasons, the rejection of independent claim 3 and dependent claims 15, 19, 25, 28 and 32 should be withdrawn.

Claim 17, which depends from independent claim 3, has been rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Koyama in view of Abe and Yamazaki (U.S. Patent

No. 6,207,969). As discussed above, neither Koyama nor Abe describes or suggests the noted feature of independent claim 3. Moreover, Yamazaki, which is cited as showing a light-emitting device including a depletion type transistor, does not remedy the failure of Koyama and Abe to describe or suggest the noted features of independent claim 3. Accordingly, for at least this reason, applicants request reconsideration and withdrawal of the rejection of dependent claim 17.

All claims are in condition for allowance.

### **Conclusion**

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this reply should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this reply, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.


A fee in the amount of \$52 for an excess claim is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. No other fees are believed due. Please apply any charges or credits to Deposit Account No. 06-1050.

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Respectfully submitted,

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